

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1349.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF APPLE CIDER VINEGAR.

On May 22, 1911, the United States Attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed information in the District Court of the United States for said district against Earl Chandler, doing business as B. T. Chandler & Son, alleging shipment by him, in violation of the Food and Drugs Act, on or about August 24, 1910, from the State of Illinois into the State of Indiana of a quantity of apple cider vinegar which was adulterated and misbranded. The product was labeled: (Paster on barrel) "B. T. Chandler and Son, Chicago, Ill. Dayton, O. Manufacturers and wholesale dealers in high grade fermented apple cider vinegar. We guarantee our apple cider vinegar to be 40 grains strength, to weigh 2% in solids and to contain no coloring matter, acids or any added foreign substance of any kind and to meet the requirements of the Pure Food Laws of all States. To J. A. Balfe's Sons, LaFayette, Indiana."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: Solids (grams per 100 cc), 0.53; non-sugar solids (grams per 100 cc), 0.22; reducing sugar (grams per 100 cc), 0.31; per cent sugar in solids, 58.5; polarization, direct, +1.2; polarization, invert, +1.2; polarization, invert at 87° C, +1.2; ash (grams per 100 cc), 0.03; alkalinity of soluble ash (cc N/10 acid per 100 cc), 2.0; soluble P_2O_5 (mg per 100 cc), 0.43; insoluble P_2O_5 (mg per 100 cc), 4.44; total acid as acetic (grams per 100 cc), 3.96; volatile acid as acetic (grams per 100 cc), 3.96; fixed acid as malic (grams per 100 cc), none; lead precipitate, light; color, degrees, brewer's scale 0.5 in., 2.0; color removed by fuller's earth, 40 per cent; alcohol precipitate (grams per 100 cc), 0.025; pentosans (grams per 100 cc), 0.0378. Adulteration of said product was alleged in the information, in that a certain substance, to wit, a dilute solution of acetic acid, had been substituted wholly for said article, and for the further reason

that a substance, to wit, a dilute solution of acetic acid, had been mixed and packed with said article of food so as to reduce its quality and strength, and for the further reason that a certain substance, to wit, a certain artificial coloring matter the exact character whereof is to the said United States Attorney unknown, was then and there mixed with the said article of food in a manner whereby the inferiority of said article was concealed. Misbranding was alleged for the reason that the label represented said product to be apple cider vinegar, which statement was false and misleading, because said product did not consist of apple cider vinegar of the strength or quality stated on the label, but consisted wholly of a dilute solution of acetic acid, colored to imitate apple cider vinegar.

On November 13, 1911, the defendant entered a plea of guilty and on November 14, 1911, was fined \$100 and costs.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *January 27, 1912.*

1349

